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COMMITTEE ON THE RIGHTS OF THE CHILD

Twenty-eighth session

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Uzbekistan

1. At its 743rd and 744th meetings (see CRC/C/SR.743-744), held on 9 October 2001, the Committee on the Rights of the Child considered the initial report of Uzbekistan (CRC/C/41/Add.8), which was received on 27 December 1999, and adopted* the following concluding observations.

A. Introduction

2. The Committee notes that the State party's initial report was prepared according to the Committee's guidelines for reporting. However, it regrets that the report is essentially legalistic and does not provide a self-critical evaluation of the prevailing situation with regard to the exercise of children's rights in the country. It notes the timely submission of the detailed written answers to the list of issues. The Committee notes with appreciation the informative dialogue with the delegation.

B. Positive aspects

3. The Committee notes that the State party has ratified the six major international human rights instruments.

* At the 749th meeting, held on 12 October 2001

4. The Committee appreciates the fact that the State party has sought cooperation and assistance in the area of human rights from United Nations agencies and other international and regional organizations.

5. The Committee welcomes the call in President Karimov's address to the Parliament on 29 August 2001, for judicial and legal reform, including in the area of the administration of juvenile justice.

6. The Committee welcomes the establishment of new institutions, including the Family, Mother and Child Welfare Secretariat and the Committee for Youth Affairs. It further welcomes the adoption of new programmes such as the State programme to promote a healthy younger generation and to enhance the work of the minors' affairs commissions.

C. Factors and difficulties impeding the implementation of the Convention

7. The Committee notes that the State party continues to face serious economic, social and political challenges following independence, which are having a severe impact, especially on the most vulnerable groups in society. Furthermore, the ecological collapse of the Aral Sea has left about 500,000 people in a precarious state of food security and limited access to safe drinking water.

D. Principal subjects of concern and recommendations

1. General measures of implementation

Legislation

8. While noting various legislative measures already taken or proposed with respect to child rights (for example, the 1998 Family Code, the 1996 Code of Administrative Liability, the 1996 Civil Code, the 1994 Criminal Code and the 1995 Labour Code), the Committee is concerned that they do not sufficiently reflect a comprehensive rights-based approach to the implementation of the Convention.

9. **The Committee recommends that the State party:**

(a) Consider children's rights, as granted by the Convention, as a priority;

(b) Undertake a comprehensive review of existing legislation, from a rights-based approach, to ensure its conformity with the principles and provisions of the Convention;

(c) Consider adopting a comprehensive children's code incorporating the principles and provisions of the Convention.

Coordination

10. Despite the existence of several governmental committees which deal with children's issues (for example, the Women's Affairs Committee and the Minority Affairs Committee), there remains a lack of administrative coordination and cooperation at the national and local government levels.

11. **The Committee recommends that the State party:**

(a) Pursue the preparation, development and implementation of a comprehensive rights-based national plan of action for the implementation of the Convention, through an open, consultative and participatory process;

(b) Establish or appoint a single body to be responsible for ensuring intersectoral coordination and cooperation (at and between national and local levels of government) in the implementation of the Convention; and

(c) Provide adequate support to local authorities for the implementation of the Convention.

Cooperation with civil society

12. While noting the good government cooperation in the development and welfare sectors with national associations, bilateral aid agencies, international organizations and NGOs, the Committee is concerned that insufficient efforts have been made to involve civil society, particularly in the area of civil rights and freedoms, in the implementation of the Convention.

13. **The Committee emphasizes the important role civil society plays as a partner in implementing the provisions of the Convention, including with respect to civil rights and freedoms, ill-treatment and juvenile justice. The Committee recommends that the State party:**

(a) Consider involving civil society, especially children's associations, systematically throughout all stages of the implementation of the Convention, in particular with respect to civil rights and freedoms;

(b) Ensure that the 1999 Law on Non-Governmental Non-Commercial Organizations conforms to article 15 of the Convention and to other international standards on freedom of association, as a step towards facilitating and strengthening their participation.

Data collection

14. The Committee is concerned that disaggregated data on persons under 18 years relating to the rights contained in the Convention are not systematically collected and used effectively to assess progress and design policies to implement the Convention.

15. **The Committee recommends that the State party:**

(a) Establish a mechanism to collect and analyse systematically disaggregated data on all persons under 18 years for all areas covered by the Convention, including those in the most vulnerable groups (for example, refugee and asylum-seeking children, children of different ethnicity, children living in remote areas, children with disabilities and children of economically disadvantaged households);

(b) Seek technical assistance from, among others, UNICEF.

Monitoring structures

16. The Committee notes the establishment of the Ombudsman by the 1997 Law on the Authorized Person of the Oliy Majlis for Human Rights. However, it is concerned that:

The mandate of the Authorized Person does not provide for regular monitoring and evaluation of progress in the implementation of the Convention;

The Law of 1997, which empowers the Authorized Person to receive and address complaints, does not provide for an effective mechanism to address complaints relating to violations of rights guaranteed under the Convention, particularly complaints from children.

17. **The Committee recommends that the State party:**

(a) Ensure the independence of the institution of the Authorized Person is secured, as also recommended by the Human Rights Committee (see CCPR/CO/71/UZB);

(b) Strengthen its support for the Authorized Person, including through the provision of adequate human and financial resources, so as to comply with the Paris Principles relating to the status of national institutions (General Assembly resolution 48/134), and so as to include monitoring and evaluating progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children, empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner, and address them effectively;

(c) Seek technical assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

Resource allocation

18. The Committee is concerned that insufficient attention has been paid to article 4 of the Convention regarding the implementation to the "maximum extent of ... available resources" of the economic, social and cultural rights of children.

19. **The Committee recommends that the State party:**

(a) Systematically assess the impact of budgetary allocations on the implementation of child rights, and disseminate information in this regard;

(b) Ensure the allocation and distribution - to the maximum extent possible - of resources at the national and local levels, where needed within the framework of international cooperation;

(c) Consider obligations under the Convention in all aspects of its negotiations with international financial institutions and other donors, to ensure that the economic, social and cultural rights of children, particularly children belonging to the most vulnerable groups, are well observed.

Training/dissemination of the Convention

20. The Committee notes various efforts undertaken with international and regional organizations in the area of human rights training. However, it is concerned that the level of awareness of the Convention amongst professionals working with and for children, and the general public, including children themselves, remains low. The Committee is concerned that the State party is not undertaking adequate dissemination and awareness-raising activities in a systematic and targeted manner.

21. **The Committee recommends that the State party:**

(a) Develop an ongoing programme for the dissemination of information on the Convention and its implementation among children and parents, civil society and all sectors and levels of government, including initiatives to reach those vulnerable groups who are illiterate or without formal education;

(b) Develop systematic and ongoing training programmes on human rights, including children's rights, for all professional groups working for and with children (for example, judges, lawyers, law enforcement officials, civil servants, local government officials, personnel working in institutions and places of detention for children, teachers and health personnel);

(c) Continue cooperation with regional and international organizations in this regard, ensuring that the Convention is included in the subject matter;

(d) Continue to seek assistance from, among others, the Office of the High Commissioner for Human Rights and UNICEF.

2. Definition of the child

22. Noting that a person reaches the age of majority at 18 years under the 1996 Civil Code, the Committee is concerned about:

Inconsistencies with other legislation and government decisions (for example, Cabinet Ministers Decision No. 319 of 24 June 1994 in relation to disability assistance paid to disabled children up to 16 years);

Differences in the minimum age for marriage of males and females under the 1998 Family Code;

The inadequate enforcement of minimum-age standards (i.e. with respect to early marriage, purchase of alcohol, etc.).

23. **The Committee recommends that the State party review its legislation so that the definition of the child and minimum-age requirements conform to the principles and provisions of the Convention, are gender neutral, are explicit and are effectively enforced by law.**

3. General principles

24. The Committee notes the important role of the Makhallas at the local level in all matters of family law and protection of children, including juvenile justice. However, the Committee is concerned at the lack of information on their role in the implementation of the general principles of the Convention.

25. **The Committee recommends that the State party:**

(a) Educate Makhalla committees on the principles and provisions of the Convention, and ensure that those principles and provisions are reflected in the decision-making procedures of these committees; and

(b) Include in its next periodic report information on the rules and regulations governing the activities of these committees, not only in areas relating to family law and juvenile justice, but in the distribution of financial assistance, as well.

The right to non-discrimination

26. The Committee is concerned at the prevailing disparities in the enjoyment of rights of children in Uzbekistan. In particular, the Committee is concerned:

At the situation of children belonging to the most vulnerable groups (for example, refugee, asylum-seeking and internally displaced children, children belonging to minorities, disabled children and those living in institutions, and in regions of the country lagging behind in socio-economic development);

That the guarantee of non-discrimination in article 2 of the Convention may be jeopardized, for example by social security laws which effectively deprive non-citizens of rights to social security benefits and impose fees which may inhibit access to health and education services.

27. **The Committee recommends that the State party:**

(a) Ensure that all children within its jurisdiction enjoy all the rights set out in the Convention without discrimination, in accordance with article 2;

(b) Prioritize and target social services for children belonging to the most vulnerable groups.

28. The Committee is concerned that in practice the system of residence registration in Uzbekistan may restrict the rights of children belonging to vulnerable groups (for example, refugees, non-citizens, migrants and persons internally displaced owing to conflict or economic or environmental factors) to access to health care and other social services. In particular, the Committee is concerned that because these rules are issued in various forms (decrees, regulations, instructions, etc.), they may not be sufficiently clear and may be open to abuse by officials reluctant to see migrants settle in their jurisdiction.

29. **The Committee recommends that the State party:**

(a) Ensure that the registration system is clear and precise and does not pose a barrier to access to services, particularly for the most vulnerable groups;

(b) Consider the experience of States that have replaced the propiska system with systems which comply to international standards in the area of freedom of movement.

30. Like the Committee on the Elimination of Discrimination against Women and the Human Rights Committee, the Committee is concerned that de facto discrimination on the grounds of gender exists in Uzbekistan and expresses its concern at the persistence of stereotypical attitudes relating to the roles and responsibilities of women and men.

31. **The Committee encourages the State party to launch comprehensive public education campaigns to prevent and combat gender discrimination, particularly within the family.**

32. **The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow-up on the Declaration and Programme of Action adopted at the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, taking account of General Comment No. 1 on article 29.1 of the Convention (aims of education).**

Respect for the views of the child

33. The Committee is concerned that traditional attitudes towards children in society at large may limit the exercise of the rights contained in article 12 of the Convention, especially within the family.

34. **The Committee recommends that the State party:**

(a) Continue to promote and facilitate, within the family, institutions, schools, the courts and administrative bodies, respect for the views of children and their participation in all matters affecting them, in accordance with article 12 of the Convention;

(b) Develop skills-training programmes in community settings for teachers, social workers and local officials to support children expressing their informed views and opinions, and to have them taken into consideration;

(c) Seek assistance from, among others, UNICEF.

4. Civil rights and freedoms

Religion

35. The Committee emphasizes that the human rights of children cannot be realized independently from the human rights of their parents, or in isolation from society at large. The Committee notes the 1998 Law on Freedom of Conscience and Religious Organizations, and recent amendments to the Civil and Criminal Codes relating to the freedom of religion. In the light of article 14 of the Convention, the Committee is concerned that restrictions on the freedom to manifest one's religion, particularly Islam, do not comply with the requirements outlined in article 14, paragraph 3.

36. **The Committee recommends that the State party take effective measures, including enacting or rescinding legislation where necessary, to prevent and eliminate discrimination on the grounds of religion or belief in the recognition, exercise and enjoyment of human rights and fundamental freedoms in all fields of civil, economic, political, social and cultural life.**

Access to information

37. In the light of article 13 (the child's right to seek, receive and impart information) and article 17 of the Convention (the right of access to information, including information and material from a diversity of cultural, national and international sources), the Committee is concerned that stringent registration and licensing requirements for the media and publications, as well as restrictions on Internet access, do not comply with article 13, paragraph 2, of the Convention.

38. **The Committee recommends that the State party take all effective measures, including enacting or rescinding legislation where necessary, to ensure that the child's freedom of expression and the right of access to information are guaranteed and implemented.**

Torture and inhuman or degrading treatment or punishment

39. The Committee is deeply concerned by numerous and continuing reports of ill-treatment of persons under 18 by the militia, including psychological intimidation, corporal punishment, including for purposes of extorting confessions. The Committee deplores the insufficient efforts to investigate allegations of torture, as well as the failure to prosecute alleged perpetrators.

40. **In the light of article 37 of the Convention, and recalling the Code of Conduct for Law Enforcement Officials, adopted by the General Assembly in its resolution 34/169 of 17 December 1979, the Committee urges the State party to:**

(a) Take all necessary effective steps to prevent incidents of ill-treatment from occurring;

(b) Implement the recommendations made by the Human Rights Committee (CCPR/CO/71/UZB), and the Committee against Torture (A/55/44, paras. 76-81);

(c) Provide the militia with training on how to deal with persons under 18;

(d) Ensure children are adequately informed of their rights when they are arrested and detained;

(e) Ensure that complaints procedures are simplified so that responses are appropriate, timely and child-sensitive, and provide rehabilitative support for victims.

5. Family environment and alternative care

Children deprived of a family environment

41. The Committee expresses its concerns that:

A high number of children, especially children with disabilities, are abandoned, or are otherwise deprived of a family environment;

Foster care, or other forms of family-based alternative care, is not sufficiently developed and available, with the result that children are placed in institutions;

Institutions (for example, "infants' homes"), because of lack of resources, provide children with very low quality housing and care;

The location and features of institutions do not facilitate family contact;

Effective mechanisms for children to communicate concerns and complaints about their placement are lacking;

There is no follow-up of children who have left institutional care.

42. **The Committee recommends that the State party:**

(a) Take effective measures, including the development of strategies and awareness-raising activities, to reduce and prevent the abandonment of children;

(b) Promote the family as the best environment for the child, through counselling and community-based programmes to assist parents to keep children at home;

(c) Take effective measures to increase and strengthen foster care, family-type foster homes and other family-based alternative care;

(d) Place children in institutions only as a last resort;

(e) Take all necessary measures to improve conditions in institutions;

(f) Ensure that children living there enjoy all the rights laid down in the Convention, including the right to maintain personal relationships and direct contact with their parents and families on a regular basis;

(g) Provide support and training for personnel in institutions, including social workers;

(h) Establish effective mechanisms to receive and address complaints from children in care, to monitor standards of care and to establish regular periodic review of placement;

(i) Provide adequate follow-up and reintegration services for children who leave institutional care.

43. The Committee is concerned about:

The lack of national standards, particularly in relation to foster and adoptive family screening;

The lack of mechanisms to review, monitor and follow up adoptions, and collect statistics on foster care and adoption, including intercountry adoption;

The practice of secret adoption.

44. **The Committee recommends that the State Party:**

(a) Establish a comprehensive national policy and guidelines governing foster care and adoption;

(b) Establish a central monitoring mechanism in this regard;

(c) Ensure that adopted children who have reached the age of majority have the right of access to the identity of their biological parents;

(d) Accede to the 1993 Hague Convention on the Protection of Children and Co-operation in respect of Intercountry Adoption.

Violence/abuse/neglect/maltreatment

45. The Committee is concerned that there is insufficient information and awareness of the ill-treatment and abuse of children within the family, in schools and in institutions.

46. **The Committee recommends that the State party:**

(a) Conduct a study to assess the nature and extent of ill-treatment and abuse of children, and design policies and programmes to address them;

(b) Take legislative measures to prohibit all forms of physical and mental violence, including corporal punishment and sexual abuse of children in the family, in schools and in institutions, taking into account the WHO "European strategies and recommendations for child protection";

(c) Carry out public education campaigns on the negative consequences of ill-treatment of children, and promote positive, non-violent forms of discipline as an alternative to corporal punishment;

(d) Establish effective mechanisms and procedures to receive, monitor and investigate complaints, including intervention where necessary;

(e) Investigate and prosecute instances of ill-treatment, ensuring that the abused child is not further victimized in legal proceedings and that his/her privacy is protected;

(f) Provide care, recovery and reintegration for victims;

(g) Train teachers, law-enforcement officials, care workers, judges and health professionals in the identification, reporting and management of cases of ill-treatment;

(h) Seek assistance from, among others, UNICEF and WHO.

Domestic violence

47. Like the Committee on the Elimination of Discrimination against Women and the Human Rights Committee, the Committee expresses concern about the prevalence of violence against women, particularly domestic violence, and that this has harmful consequences on children.

48. **The Committee recommends that the State party:**

(a) Take effective measures to implement the Committee on the Elimination of Discrimination against Women's general recommendation 19 on violence against women;

(b) Give attention to addressing and overcoming socio-cultural barriers that inhibit victims from seeking assistance;

(c) Undertake training on gender issues for all public officials, in particular law-enforcement officials and the judiciary, local government and mahallyas officials.

6. Basic health and welfare

49. While noting efforts to strengthen the primary health sector, the Committee is nevertheless concerned at the deterioration in the health of the most vulnerable groups, especially women and children, and in particular at:

The high infant mortality rates;

The high under-five mortality rates;

The high maternal mortality rates;

The high incidence of infectious diseases, such as tuberculosis, despite high rates of immunization;

The fact that accidents and injuries are a main cause of mortality and morbidity among children and that children in rural and disadvantaged regions, such as Karakalpakstan and Khorezm, suffer the most.

50. **The Committee recommends that the State party:**

(a) Ensure that its commitment to primary health care is met by adequate allocation of human and financial resources, and that all children, especially from the most vulnerable groups, have access to health care;

(b) Continue and strengthen implementation of the WHO Promoting Effective Perinatal Care strategy, to address high maternal, infant and child mortality;

(c) Ensure full implementation of the Integrated Management of Childhood Illnesses strategy;

(d) Implement WHO recommendations and guidelines, such as "Essential newborn care and breastfeeding", "First action plan for food and nutrition", and "Feeding and nutrition of infants and young children", to address nutritional deficiencies;

(e) Implement the 2000 Amsterdam Declaration to Stop TB and the Strategy to Roll Back Malaria in the European Region;

(f) Implement the recommendations of the WHO report, "Childhood injuries - a priority area for the transition countries of Central and Eastern Europe and the newly independent States";

(g) Continue to cooperate with and seek assistance from, among others, UNICEF and WHO.

51. With regard to adolescent health, the Committee is concerned at the increasing number of teenage pregnancies and the consequent number of abortions among girls under 18. The Committee notes that various factors, including cultural attitudes and lack of personal knowledge and communication skills on the part of parents may be barriers to obtaining accurate reproductive health information and counselling. The Committee is also concerned at the rise in rates of STDs, particularly syphilis, gonorrhoea and HIV/AIDs. It is also concerned with rising substance abuse and tobacco use among adolescents.

52. **The Committee recommends that the State party:**

(a) Undertake a comprehensive study to assess the nature and extent of adolescent health problems and, with the full participation of adolescents, use this as a basis to formulate adolescent health policies and programmes;

(b) Ensure adolescents have access to and are provided with education on reproductive health and other adolescent health issues, including mental health, as well as with child-sensitive and confidential counselling services;

(c) Consider participating in the European Network of Health Promoting Schools;

(d) Seek assistance from, among others, UNICEF and WHO.

53. In the light of article 24 of the Convention, the Committee expresses its concern at problems of poor access to safe water and food security, exposure to toxic chemicals, and other hazards arising from the Aral Sea disaster, which negatively impact upon the health of children in the Karalpakstan region.

54. **In the light of article 24 (c) of the Convention, the Committee recommends that the State party take all appropriate measures, including seeking international cooperation, to prevent and combat the damaging effects of environmental degradation on children, including pollution and contamination of water supplies.**

Children with disabilities

55. The Committee notes the 1991 Law on Social Protection of the Disabled and the draft programme of medical and social rehabilitation of the disabled (2001-2005). However, it is concerned at the prevailing poor situation of children with disabilities. In particular, it is concerned at:

The practice of institutionalizing children with disabilities;

That education is predominantly segregated;

That access to special services such as rehabilitation is limited and severely strained;

There is insufficient support for families;

Information from the delegation that pregnancies are commonly terminated when foetuses show signs of disability upon screening.

56. **The Committee recommends that the State party:**

(a) Review existing policies and practice in relation to children with disabilities, taking due account of the Standard Rules on the Equalization of Opportunities for Persons with Disabilities (General Assembly resolution 48/96) and of the Committee's recommendations adopted at its Day of general discussion on children with disabilities (CRC/C/69, para. 338);

(b) Promote alternative measures to prevent disability;

(c) Provide early childhood care and special education for children with disabilities;

(d) Make greater efforts to implement alternatives to the institutionalization of children with disabilities, including community-based rehabilitation programmes and reunification of children with their parents;

(e) Undertake awareness campaigns which focus on prevention, inclusive education, family care and the promotion of the rights of children with disabilities;

(f) Give attention to combating negative societal attitudes towards disabled children;

(g) Give adequate support, supervision and training to persons working with these children;

(h) Seek assistance from, among others, UNICEF and WHO.

7. Education, leisure and cultural activities

Education

57. The Committee is concerned at:

The low level of pre-school enrolment;

Declining enrolment and high drop-out, repetition and absenteeism rates in primary and secondary schools;

Disparities according to gender and region;

Deterioration in infrastructure;

Deterioration in the quality of education, especially of teaching and the curricula.

58. **The Committee recommends that the State party, taking due account of the Committee's General Comment No. 1 on the aims of education:**

(a) Undertake greater efforts to allocate the required human and financial resources to, inter alia, improve infrastructure, expand the provision of learning materials and supplies and improve teachers' salaries;

(b) Revise the school curricula to reflect a child-centred, active-learning approach;

(c) Promote the importance of early childhood care and development programmes, especially among low-income households, and stimulate informal community pre-school schemes in this regard;

(d) Promote the participation of parents and communities, especially ethnic minorities, in school governance, to improve enrolment rates and monitor the quality of education;

(e) Introduce human rights, including the Convention, into the school curricula, including at the primary school level;

(f) Seek assistance from, among others, UNICEF and UNESCO.

8. Special measures of protection

Refugees and displaced persons

59. In accordance with article 23 of the Constitution, which guarantees non-citizens and stateless persons rights and freedoms in accordance with international law, the Committee

welcomes the inclusion of a chapter on refugees in the draft law on migration. However, the Committee is concerned that there is no existing legal framework for the protection of refugees.

60. **The Committee recommends that the State party:**

(a) Ensure that the draft law conforms to article 22 of the Convention and other international standards on the protection of and assistance for refugee children, expedite its promulgation and ensure its effective implementation;

(b) Consider acceding to the 1951 Convention Relating to the Status of Refugees, its 1967 Protocol, and the 1954 and 1961 Conventions on statelessness;

(c) Continue and strengthen its cooperation with UNHCR.

Armed conflict

61. The Committee expresses its concern at the negative impact on children of reported military operations in the country (for example, in the Surkhandarya region, which involved the relocation of villagers, and the mining of Uzbek-Tajik border areas).

62. **In the light of article 38 and other relevant articles of the Convention, the Committee recommends that the State party:**

(a) At all times ensure respect for human rights and humanitarian law aimed at the protection and care of children affected by armed conflict;

(b) Provide physical rehabilitation and psychological recovery measures for these children.

Street children

63. The Committee notes that the negative effects of the current economic crisis and consequent deterioration in the family environment have resulted in an increasing number of street children in Tashkent and other cities.

64. **The Committee recommends that the State Party:**

(a) Take effective measures to ensure that street children are provided with adequate nutrition, clothing, housing, health care and educational opportunities, including vocational and life-skills training in order to support their full development;

(b) Ensure that street children are provided with recovery and reintegrative services for physical, sexual and substance abuse, and services for reconciliation with their families;

(c) Undertake a study on the causes and scope of the phenomenon and establish a comprehensive strategy in cooperation with civil society with the aim of preventing and reducing this phenomenon;

(d) Seek assistance from, among others, UNICEF.

Economic exploitation

65. The Committee is concerned at the insufficient information on children who work, including in the informal sector, such as in agriculture. It is also concerned that children involved in cotton harvesting may be at risk of exposure to hazardous work conditions.

66. **The Committee recommends that the State party:**

(a) Undertake a national survey on the causes and extent of child labour;

(b) Establish a minimum age for admission to employment, in accordance with the principles and provisions of the Convention, that is, in conformity with the age for completion of education, and ensure that it is enforced. Employers should be required to have, and to produce on demand, proof of the age of all children working on their premises;

(c) Establish a mechanism to monitor the implementation of standards which is empowered to receive and address complaints of violations;

(d) Carry out campaigns to inform and sensitize the general public, especially parents and children, of work hazards;

(e) Consider ratification of ILO Conventions No. 138 on the minimum age for admission to employment, and No. 182 on the worst forms of child labour;

(f) Seek assistance from ILO.

Sexual exploitation

67. The Committee is concerned at the insufficient data and awareness concerning the phenomenon of sexual exploitation of children in Uzbekistan.

68. **The Committee recommends that the State party:**

(a) Undertake a national study on the nature and extent of sexual exploitation of children (i.e. sale of children, child prostitution and child pornography) and that disaggregated data be compiled and kept up to date to serve as a basis for designing measures and evaluating progress in this area;

(b) Review its legislation and ensure that it criminalizes the sexual exploitation of children, is gender neutral and penalizes all offenders involved, whether local or foreign, while ensuring that the child victims are not penalized;

(c) Ensure that legal procedures are simplified so that responses are appropriate, timely and sensitive to victims;

(d) Establish recovery and social reintegration programmes for child victims;

(e) Train personnel working with child victims;

(f) Carry out awareness-raising campaigns to sensitize and mobilize the general public on the child's right to physical and mental integrity and safety from sexual exploitation.

Administration of juvenile justice

69. The Committee is concerned about insufficient information in the area of juvenile justice, and it is particularly concerned about:

Children arrested and held in custody without being able to exercise their right to a lawyer;

Children subjected to ill-treatment and unlawful investigative methods;

The length of pre-trial detention;

Conditions in detention centres and penal colonies in Uzbekistan;

Treatment in special schools for juveniles (for example, the Special School for Girls No. 4, Kokand).

70. **The Committee recommends that the State party:**

(a) Establish a minimum age of criminal responsibility in accordance with the principles and provisions of the Convention;

(b) Ensure that the criminal justice system fully integrates into its legislation and practice the provisions of the Convention, in particular articles 37, 40 and 39, as well as other relevant international standards in this area, such as the Beijing Rules, the Riyadh Guidelines, the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(c) Ensure that children are not arbitrarily arrested, that deprivation of liberty is only used as a measure of last resort, for the shortest possible time, is authorized by the court and that persons under 18 are not detained with adults;

(d) Ensure that children have access to legal aid and independent and effective complaints mechanisms;

(e) Consider alternative measures to deprivation of liberty, such as probation, community service or suspended sentences;

(f) Train professionals in the area of rehabilitation and social reintegration of children;

(g) Seek assistance from, among others, the Office of the High Commissioner for Human Rights, the Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional Protocols

71. **The Committee encourages the State party to ratify the Optional Protocols to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography, and on the involvement of children in armed conflict.**

10. Dissemination of the reports

72. **Finally, the Committee recommends that in accordance with article 44, paragraph 6, of the Convention, the initial report presented by the State party be made widely available to the public at large and that consideration be given to the publication of the report along with the written answers to the list of issues raised by the Committee, the relevant summary records of the discussion, and the concluding observations adopted thereon by the Committee following its consideration of the report. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within the Government, the Parliament and the general public, including concerned non-governmental organizations.**

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COMMITTEE ON THE RIGHTS OF THE CHILD

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CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 44 OF THE CONVENTION

Concluding observations of the Committee on the Rights of the Child: Cape Verde

1. The Committee considered the initial report of Cape Verde (CRC/C/11/Add.23) at its 445th to 446th meetings (see CRC/C/SR.445-446), held on 10th October 2001, and adopted, at the 749th meeting (CRC/C/SR.749), held on 12 October 2001, the following concluding observations.

A. Introduction

2. The Committee welcomes the submission of the State party's initial report and the promptly submitted written replies to its list of issues (CRC/C/Q/CAP/1). The Committee notes the very constructive dialogue it held with the State party's high-ranking delegation, directly implicated in the Convention's implementation, and the delegation's positive reaction to the Committee's various suggestions.

B. Positive factors

3. The Committee welcomes the many improvements in respect for children's rights and the situation of children within the State party over the last two decades. The Committee notes the marked improvement of health indicators including, in particular, the sharp drop in the mortality rate of children under five and the major increase in school enrolment.

4. The Committee notes the very positive aims of education within the State party's national education curriculum and the establishment of a teacher training institute.

5. The Committee notes the State party's adoption of the Constitution in 1992 which makes reference to children's rights, the adoption of a Minors Code, amendments to the Civil Code and Family Code, the adoption of a national declaration on social policy with regard to children and adolescents and the award of a UNICEF children's rights prize to the Institute for Minors in Cape Verde.

C. Factors and difficulties impeding the implementation of the Convention

6. The Committee notes the difficult economic conditions within the State party and the situation of poverty confronted by a large proportion of the population.

7. The Committee notes the State party's geographic spread over several islands which, combined with other difficulties, poses problems in the provision of services. The Committee notes, in addition, the absence of natural resources, the limited availability of clean drinking water, regular periods of drought and a process of desertification.

D. Principal subjects of concern, suggestions and recommendations

1. General measures of implementation

Legislation

8. Noting the recent efforts to amend the Minors Code and the Family Code, the Committee remains concerned that further strengthening of legislation is required. The Committee is also concerned that the Convention is not applied directly by the courts and administrative structures in the State party and that, given the incompatibility of some elements of domestic legislation, this may lead to practices that are not in accordance with the Convention.

9. **The Committee recommends that the State party:**

(a) Amend outdated legislation and adopt new legislation, including the new Penal Code, in accordance with the provisions of the Convention;

(b) Encourage domestic judicial and administrative mechanisms to apply the Convention directly in domestic proceedings.

Implementation and coordination

10. The Committee is concerned that implementation of the Convention is hindered by insufficient coordination between ministries and other mechanisms responsible for implementation, including between public and private institutions.

11. **The Committee:**

(a) Recommends that the State party strengthen implementation of the Convention and establish a mechanism with a suitable mandate and adequate resources to coordinate policy and programmes in this regard;

(b) Noting that the Instituto Cabo Verdiano dos Menores (ICM) functions effectively on two islands, the Committee recommends that the State party consider extending its work to the rest of the country, providing it with additional financial and human resources and reinforcing its status;

(c) Recommends that the State party make greater efforts to coordinate the work of public and private institutions.

National Plan of Action

12. Noting the State party's National Plan of Action for childhood and adolescence, the Committee remains concerned that the Plan has not been implemented.

13. **The Committee strongly recommends that the State party update and implement its Plan of Action for childhood and adolescence at national and local levels and in accordance with the Convention's principles and provisions.**

Data

14. The Committee is concerned at the lack of the systematic and comprehensive collection of disaggregated data for all areas covered by the Convention and in relation to all groups of children in order to monitor and evaluate progress achieved and assess the impact of policies adopted with respect to children.

15. **The Committee recommends that the State party:**

(a) Develop a system of data collection and indicators consistent with the Convention and disaggregated by gender, age, and urban and rural area. This system should cover all children up to the age of 18 years, with specific emphasis on those who are particularly vulnerable, including child victims of abuse, neglect, or ill-treatment; children with disabilities; street children; child victims of sexual exploitation; children in conflict with the law; and children living in isolated areas;

(b) Use these indicators and data for the formulation, implementation and evaluation of policies and programmes for strengthening respect of the Convention.

Monitoring

16. While noting the recent establishment of the National Commission on Human Rights and its sub-commissions, the Committee is concerned at the absence of an effective and independent mechanism for monitoring the Convention's implementation.

17. **The Committee recommends that the State party:**

(a) Consider the establishment of an independent national human rights institution in accordance with the Principles relating to the status of national institutions for the promotion and protection of human rights (General Assembly resolution 48/134) to

monitor and evaluate progress in the implementation of the Convention at the national and local levels. This institution should be accessible to children and empowered to receive and investigate complaints of violations of child rights in a child-sensitive manner and to address them effectively;

(b) Consider the development of a focal point on children's rights within the National Commission on Human Rights.

Allocation of adequate resources

18. While noting the State party's provision of significant proportions of its budgetary resources to sectors of benefit to children, the Committee remains concerned that the lack of adequate data makes it difficult to assesses accurately the investment made directly for the Convention's implementation. The Committee is concerned, in addition, that additional resources are urgently required for securing respect for the economic, social and cultural rights of children.

19. **The Committee recommends that the State party:**

(a) Systematically assess the impact of budgetary allocations on the implementation of child rights and disseminate information in this regard;

(b) Ensure the allocation and distribution, to the maximum extent possible, of available resources at the national and local levels and, where needed, within the framework of international cooperation;

(c) Consider its obligations under the Convention in all aspects of its negotiations with international financial institutions and other donors, to ensure that the economic, social and cultural rights of children are respected.

Cooperation with civil society

20. The Committee is concerned that civil society, including NGOs, was not sufficiently involved in the process of drafting the State party's report and has been insufficiently implicated in implementation of the Convention.

21. **The Committee recommends that the State party make greater efforts to:**

(a) Reinforce cooperation with NGOs working in all domains of relevance to the Convention's implementation;

(b) Support the work of NGOs in the area of children's rights.

Dissemination of the Convention

22. While noting the State party's efforts to promote the Convention, including in schools, the Committee remains concerned that there is insufficient awareness of the Convention among children, professionals working with children, parents and the public in general.

23. **The Committee recommends that the State party:**

(a) Strengthen its efforts to disseminate the principles and provisions of the Convention, as a measure to sensitize society on children's rights;

(b) Involve local communities in its programmes in order to combat customs and traditions that impede the implementation of the Convention and adopt creative measures of communication for involving persons who are illiterate;

(c) Undertake systematic education and training on the provisions of the Convention for all professional groups working for and with children, in particular parliamentarians, judges, lawyers, law enforcement officials, civil servants, municipal and local workers, personnel working in institutions and places of detention for children, teachers, health personnel, including psychologists, and social workers;

(d) Ensure the provision of human rights education, including on the rights of the child, in all schools;

(e) Seek technical assistance from, among others, OHCHR and UNICEF.

2. Definition of the child

24. The Committee is concerned that the number of years of compulsory education under existing provisions is insufficient.

25. **The Committee recommends that the State party:**

(a) Increase the number of years of compulsory education, including by extending the minimum age for leaving education;

(b) Take steps to close gaps between the minimum age for work and the end of compulsory education, so as to ensure that children do not end their education prematurely to begin work;

(c) Seek technical assistance from UNESCO and ILO, as appropriate, in this regard.

3. General principles

26. The Committee is concerned that the principles of non-discrimination (article 2 of the Convention), best interests of the child (art. 3), survival and development (art. 6) and respect for the views of the child (art. 12) are not fully reflected in the State party's legislation and administrative and judicial decisions, as well as in policies and programmes relevant to children at both national and local levels.

27. **The Committee recommends that the State party appropriately integrate general principles of the Convention, in particular the provisions of articles 2, 3, 6 and 12, in all relevant legislation concerning children and apply them in all political, judicial and administrative decisions, as well as in projects, programmes and services which have an impact on all children. These principles should guide planning and policy-making at every level, as well as actions taken by social and health welfare institutions, courts of law and administrative authorities.**

Discrimination

28. The Committee is concerned that the Constitution does not include provisions prohibiting discrimination against children with disabilities and that discrimination against women, which may have an impact on their children, remains commonplace in practice.

29. **The Committee recommends that the State party:**

(a) Ensure that the Constitution and other relevant legislation prohibit discrimination on all grounds covered by the Convention's article 2 including, in particular, discrimination on the basis of disability;

(b) Strengthen its efforts to end discrimination against women through, inter alia, the use of information campaigns and programmes promoting the advancement of women.

30. The Committee requests that specific information be included in the next periodic report on the measures and programmes relevant to the Convention on the Rights of the Child undertaken by the State party to follow up on the Declaration and Programme of Action adopted at the 2001 World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, and taking account of the Committee's general comment No. 1 on article 29 (1) of the Convention on the aims of education.

Child participation

31. While noting the State party's efforts in this regard, including both the establishment of a children's parliament and the State party's efforts in 1998 to raise awareness of children's right to participate, the Committee remains concerned that this right is not adequately respected in the context of, inter alia, the family, schools and policy-making.

32. **In light of article 12, the Committee recommends that the State party strengthen its efforts to ensure respect for children's right to participate through, inter alia:**

(a) The use of promotion campaigns targeting parents, teachers and children;

(b) Continuing support to the children's parliament and ensuring that conclusions and recommendations made by this parliament are taken into consideration in the State party's decision-making process.

4. Civil rights and freedoms

Birth registration and the right to identity

33. While welcoming the significant progress made by the State party in increasing rates of birth registration, the Committee remains concerned that a large proportion of children are still not registered at birth.

34. **The Committee recommends that the State party:**

(a) Continue and strengthen its ongoing efforts to raise birth registration levels including through facilitating the birth registration process, raising awareness among parents, increasing resources available to registering authorities and establishing birth registration facilities in hospitals with maternity clinics;

(b) Give particular attention to isolated communities, including those on less populated islands.

Corporal punishment

35. The Committee is concerned that corporal punishment is widely practised in the home and in schools, and by the police forces against vulnerable groups such as street children.

36. **The Committee recommends that the State party:**

(a) Take steps to end the practice of corporal punishment in schools and in the home;

(b) Conduct, inter alia, awareness-raising and education campaigns to change public attitudes;

(c) Provide training and information on alternative forms of non-violent discipline and ensure that these are administered in a manner consistent with the child's human dignity and in conformity with the Convention, especially articles 19 and 28 (2).

5. Family environment and alternative care

Family structure

37. The Committee is concerned that the family structure, and particularly the care and protection it provides to children in the State party, is weakened by a combination of a lack of resources, poor housing conditions, a lack of free day care for single-parent-headed families, an insufficient social security and welfare system and the union libre fixe practice of parental relationships.

38. **The Committee recommends that the State party:**

(a) Give careful consideration to ways of providing improved protection and care of children and their rights in the context of the family, and that subsequent action be taken urgently towards strengthening children's family life;

(b) Consider the provision of assistance to families through, inter alia, a national plan for families and additional assistance to single-parent families, including with regard to securing child maintenance payments from the parent who is not caring for the child;

(c) Study the impact of the union libre fixe relationship structure on children and develop specific programmes to address problems identified;

(d) Seek assistance from UNICEF in this regard.

Abuse, mistreatment and domestic violence

39. The Committee is concerned at incidents of abuse, including sexual abuse and incest, and the mistreatment of children in the family. The Committee is concerned, in addition, at the incidence of domestic violence, which has a negative impact on children.

40. **The Committee recommends that the State party make every effort:**

(a) To monitor and record incidents of abuse, including sexual abuse and incest, mistreatment of children and domestic violence, including violence against women in the family, making particular efforts to improve data collection on these concerns;

(b) Effectively investigate cases of domestic violence and violence in schools, through a child-sensitive judicial procedure, and apply sanctions to perpetrators with due regard given to guaranteeing the right to privacy of the child;

(c) Proceed with a study of violence against women and address this concern through, inter alia, the promotion of women's human rights, the strengthened implementation of relevant provisions in the Constitution and other legal instruments, and by ensuring that women have access to suitable complaint mechanisms;

(d) Ensure that cultural taboos discouraging complaints of violence are broken down;

(e) Give appropriate weight to children's views in legal proceedings; provide support services to child witnesses in legal proceedings and services for physical and psychological recovery and social reintegration of the victims of rape, abuse, neglect, ill-treatment, violence or exploitation, in accordance with article 39 of the Convention; and take measures to prevent the criminalization and stigmatization of victims;

(f) Seek technical assistance from, among others, UNICEF.

Alternative care

41. Noting the State party's efforts, including a study on the traditional system of foster care for orphans (see, inter alia, paragraph 119 of the State party's report), the Committee remains concerned that the foster care system requires strengthening.

42. **The Committee recommends that the State party take action to improve the foster care system, including consideration of recommendations made by the study and in respect of the Convention's provisions.**

Adoption

43. Noting in particular the State party's very large emigrant population, the Committee is concerned at potential violations of children's rights in the context of intercountry adoption.

44. **The Committee recommends that the State party adopt and implement the 1993 Hague Convention on Protection of Children and Cooperation in Respect of Intercountry Adoption.**

6. Basic health and welfare

45. While noting the significant progress made, the Committee remains concerned at health problems among children such as the deaths of infants and children caused by diarrhoeal diseases, respiratory infections and malnutrition. The Committee is concerned, in particular, by the limited access to health services of children living in rural communities, and particularly on more remote islands, and the threat of HIV/AIDS.

46. **The Committee recommends that the State party:**

(a) Pursue and strengthen its efforts to improve access to health care, including primary health care, giving particular attention to major causes of infant and child mortality and to major illnesses and diseases;

(b) Give particular attention to children living in rural areas and on remote islands and to the prevention of the spread of HIV/AIDS.

Adequate standard of living

47. While noting the State party's efforts in this regard, the Committee remains concerned at the large proportion of children and their families living in poverty. The Committee is concerned, in particular, by weaknesses in the social security system, poor housing conditions, the lack of adequate sanitary facilities and the lack of easy access for many families and children to clean drinking water.

48. **The Committee urges the State party:**

(a) To ensure that its anti-poverty programme takes into consideration children's rights in the context of, inter alia, an adequate standard of living;

(b) To develop programmes of major improvements to the social security system, housing conditions of children, home sanitation facilities and access to clean drinking water.

Children with disabilities

49. The Committee is concerned that the rights of children with disabilities are not fully respected and that available specialized assistance, including economic assistance, is insufficient. The Committee is concerned, in addition, at the absence of public schools or trained teachers for children with disabilities in need of special facilities.

50. **The Committee recommends that the State party:**

(a) Make urgent efforts to improve respect for the rights of children with disabilities, including the rights to non-discrimination, family life, an adequate standard of living, health care, education and leisure;

(b) Continue to provide and encourage access to the regular education system for children with disabilities who are able to participate in this system;

(c) Ensure that, where necessary, specialized educational and health assistance are made available to children with disabilities in need of such assistance;

(d) Ensure the provision of specialized services for children with disabilities making a transition to the regular education system;

(e) Provide additional assistance to families caring for children with disabilities;

(f) Develop and implement information campaigns targeting, among others, parents, teachers, care givers and children, on the rights of children with disabilities, including the right to equal treatment;

(g) Seek technical assistance from UNICEF and WHO.

Adolescent health

51. The Committee is concerned that adolescents face numerous risks, including from life on the street, sexual exploitation, mistreatment, alcohol, tobacco and drug abuse and delinquency, and that there are no statistics available to indicate the number of adolescents exposed to these dangers. The Committee is concerned, in addition, at the high rates of teenage pregnancy, the incidence of sexually transmitted diseases, the potential spread of HIV/AIDS and the incidence of unsafe abortions occurring outside the health service structure.

52. **The Committee recommends that the State party:**

(a) Ensure that its child rights policy takes into consideration the risks faced by adolescents and that every effort is made to ensure that adolescents have access to appropriate health, including mental health, care and legal assistance;

(b) Give special attention to sexual exploitation, mistreatment, and alcohol, tobacco and substance abuse;

(c) Give special attention to teenage pregnancy, sexually transmitted diseases, HIV/AIDS and unsafe abortions, including through the provision of sex education for all adolescents;

(d) Ensure the provision of child-sensitive health assistance, education and counselling, in full respect of the child's right to privacy;

(e) Seek technical assistance from, among others, UNFPA and WHO.

7. Education, leisure and cultural activities

53. The Committee is concerned that the quality of education is low and, in particular, that there is a serious lack of resources and didactic material in schools, that the training of teachers remains insufficient and that the drop-out rate of children from secondary education is high. The Committee is concerned that access to pre-school education is very limited. While noting gender equality in admissions to primary education, the Committee is concerned that some adolescents are excluded from the system of compulsory education. The Committee is concerned, in addition, that not all children are fluent in both Creole and Portuguese and that these children risk being marginalized, given that school education is in Portuguese.

54. **Noting efforts to increase enrolment levels, particularly to primary school, the Committee recommends that the State party:**

(a) Make urgent efforts to improve the quality of education throughout the education system, including through reference to the Committee's general comment No. 1 on article 29 of the Convention on the aims of education;

(b) Strengthen the training of teachers and the provision of resources, including didactic materials;

(c) Improve access to pre-school education for all children, giving particular attention to children from disadvantaged backgrounds;

(d) Make efforts to increase the number of children completing secondary education;

(e) Ensure full access for all children to compulsory education;

(f) Take steps to ensure that all children are fluent in Creole and Portuguese;

(g) Seek technical assistance from UNICEF in this regard.

8. Special protection measures

Refugees

55. The Committee notes the relatively unimpeded access of refugees to the State party, but remains concerned that the State party has not yet ratified international instruments with regard to the protection of stateless persons.

56. **The Committee recommends that the State party:**

(a) Continue efforts to ensure full respect for the rights of refugee children;

(b) Ratify the 1954 Convention relating to the Status of Stateless Persons;

(c) Ratify the 1961 Convention on the Reduction of Statelessness.

Child labour

57. The Committee is concerned at practices of child labour, including the use of children to wash cars and sell goods on the streets.

58. **The Committee recommends that the State party:**

(a) Ensure implementation of international labour standards with regard to children;

(b) Consider raising the minimum age for work;

(c) Consider ratification of the 1973 ILO Convention No. 138 concerning Minimum Age for Admission to Employment and the 1999 ILO Convention No. 182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

Sexual exploitation and trafficking

59. The Committee is concerned at practices of sexual violence and exploitation of children, including child prostitution, primarily affecting girls but also including boys, such as on the island of Sal. The Committee is concerned that, with increasing tourism, sexual exploitation of children may increase and that there may be incidents of trafficking in children.

60. **The Committee recommends that the State party:**

(a) Conduct a study to assess the extent of the sexual exploitation and prostitution of and potential trafficking in children;

(b) Strengthen its efforts to address sexual violence and exploitation of children, including prostitution, inter alia through the judicial system, the media and through information campaigns, while also ensuring the protection of children's right to privacy and other relevant concerns;

(c) Take action to prevent the trafficking of children and to identify and implement solutions;

(d) Develop a National Plan of Action to address sexual exploitation, taking into account the recommendations formulated in the Agenda for Action adopted at the World Congress Against Commercial Exploitation of Children, held in Stockholm in 1996;

(e) Seek technical assistance from UNICEF.

Street children

61. The Committee is concerned at the presence of children living and/or working in the street, in particular in the urban centres of Mindelo, Praia and Sal and that these children are vulnerable to mistreatment, abuse and exploitation, including thieving on behalf of adults.

62. **The Committee recommends that the State party:**

(a) Implement measures to protect and assist children who are living and/or working in the street;

(b) Take steps to address the causes of this concern;

(c) Develop solutions to prevent children from living and/or working in the streets and provide assistance to children in leaving the street, including through family reunification programmes, educational assistance and appropriate rehabilitation;

(d) Seek technical assistance from UNICEF.

Substance abuse

63. Noting the work of the national committee combating drug abuse, the Committee is concerned at the incidence of substance abuse by children, particularly in the urban centres of Praia, Mindelo and Sal.

64. **The Committee recommends that the State party:**

(a) Reinforce the work of the National Committee;

(b) Strengthen its efforts to address the abuse of substances by children.

Juvenile justice

65. The Committee is concerned that, in practice, juvenile justice standards are not applied because of severe weaknesses in the functioning of the Commission for the Protection of Minors, the absence of appropriate institutions for the implementation of some juvenile justice measures, the insufficient capacity of courts and the backlog of cases, and an overall lack of financial and human resources. The Committee is concerned, inter alia, by the lack of alternative measures to detention for children over 16, the incarceration of children with adults, and the fact that detained children do not receive any formal education.

66. **The Committee recommends that the State party:**

(a) Proceed with its efforts to strengthen the system of juvenile justice in the spirit of the Convention, in particular articles 37, 40 and 39, and other United Nations standards in the field of juvenile justice, including the United Nations Standard Minimum Rules for the Administration of Juvenile Justice (the Beijing Rules), the United Nations Guidelines for the Prevention of Juvenile Delinquency (the Riyadh Guidelines), the United Nations Rules for the Protection of Juveniles Deprived of their Liberty and the Vienna Guidelines for Action on Children in the Criminal Justice System;

(b) Consider deprivation of liberty only as a measure of last resort, for all children up to the age of 18 and for the shortest possible period of time, limit by law the length of pre-trial detention, and ensure the availability of suitable alternatives to detention;

(c) Provide children with legal assistance at an early stage of proceedings;

(d) Protect the rights of children deprived of their liberty and improve their conditions of detention and imprisonment, including by solving the problem of overcrowded prisons and establishing special facilities for children with conditions suitable to their age and needs; and in the meantime, ensure that children are separated from adults in prison and in pre-trial detention facilities;

(e) Ensure that children up to the age of 18 in conflict with the law are not treated like, and do not receive the same sanctions as adults.

(f) Ensure that children are able to remain in regular contact with their families while in the juvenile justice system;

(g) Establish an independent child-sensitive and accessible system for complaints for children;

(h) Introduce training programmes on relevant international standards for all professionals involved with the system of juvenile justice;

(i) Establish a programme of rehabilitation and reintegration of juveniles following justice proceedings;

(j) Request technical assistance in the area of juvenile justice and police training from, among others, OHCHR, the United Nations Centre for International Crime Prevention, the International Network on Juvenile Justice and UNICEF, through the United Nations Coordination Panel on Technical Advice and Assistance on Juvenile Justice.

9. Optional protocols and article 43 (2)

67. **The Committee recommends that the State party:**

(a) Consider ratification of the Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography and the Optional Protocol on the Involvement of Children in Armed Conflicts.

(b) Accept the amendment to article 43 (2) of the Convention.

10. Dissemination of documents

68. **Finally, in light of article 44, paragraph 6, of the Convention, the Committee recommends that the initial report and written replies submitted by the State party be made widely available to the public at large and that the publication of the report be considered, along with the relevant summary records and concluding observations adopted by the Committee. Such a document should be widely distributed in order to generate debate and awareness of the Convention and its implementation and monitoring within all levels of administration of the State party and the general public, including concerned non-governmental organizations.**